



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,805	12/22/2000	John B. Abjanic	42390P9673	9057

8791 7590 03/17/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

NGUYEN, PHUOC H

ART UNIT PAPER NUMBER

2143

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,805

Applicant(s)

ABJANIC ET AL.

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: 06/20/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

1. Referring claim 1, the phrase "a device coupled between a client an a server...." is suggested to change to "a device coupled between a client and a server....".
2. Referring claims 2 and 25, applicant placed a wrong punctuation mark ",", at the end of the sentence. Examiner is suggested to change to a period ".". Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims rejected under 35 U.S.C. 102(e) as being by Albert et al. (Hereafter, Albert) U.S. Patent 6,650,641.

3. Regarding claims 1,21, and 24, Albert's figure 4 discloses a device (eg. forwarding agent 231) coupled between a client (eg. client 201) and a server (eg. server 1), the device having a configuration (eg. fixed or wildcard affinity), the device to receive a message via one or more received packets and to process the message only if the received packets have one or more fields that match the configuration of the device (col. 15 lines 44-47), the device to forward the processed message via one or more packets having one or more fields that are different from the received packets (eg. forwarding agent intercepted the packets if match with the fixed affinity it then process the packets based upon the actions set in the fixed affinity) (Figure 13; and col. 15 lines 44-47; col. 29 lines 56 through col. 30 lines 11).

4. Regarding claims 2,22, and 25, Albert further discloses a device to forward the received packets with the one or more fields and the message that are unchanged if the one or more fields of the received packets do not match the configuration of the device (col. 15 lines 44-47).

5. Regarding claim 3, Albert further discloses one or more of a validator, a transformer and a content based switch (Figure 13; and col. 8 lines 55-59).

6. Regarding claim 4, Albert further discloses the one or more fields that match the configuration of the device comprise a destination IP address and destination port number (Figure 6; and col. 16 lines 7-20).

7. Regarding claim 5, Albert further discloses a plurality of devices coupled between a client an a server, the devices having a same configuration (eg. forwarding agents 231,232), the

Art Unit: 2143

devices to receive a message via one or more received packets and to process the message only if the received packets have one or more fields that match the configuration of the devices, the devices to forward the received packets with the one or more fields and the message that are unchanged if the one or more fields of the received packets do not match the configuration of the devices, the devices to forward the processed message via one or more packets having one or more fields that are different from the received packets (eg. forwarding agent intercepted the packets if match with the fixed affinity it then process the packets based upon the actions set in the fixed affinity; and if no match it performs a normal IP routing) (Figure 13; and col. 15 lines 44-47; col. 29 lines 56 through col. 30 lines 11).

8. Regarding claim 6, Albert further discloses the plurality of devices comprise a plurality of validators (Figure 13).

9. Regarding claim 7, Albert further discloses a validation accelerator to validate messages (col. 29 lines 56 through col. 30 lines 11).

10. Regarding claim 8, Albert further discloses the plurality of devices comprise a plurality of transformers (eg. Network Address Translation) (Figures 12 and 13).

11. Regarding claim 10, Albert further discloses the plurality of devices comprise a plurality of switches (col. 8 lines 55-59).

12. Regarding claim 11, Albert further discloses at least one of the switches comprises a content based switch to switch the message to a selected processing node or server if the content of the message matches one or more predetermined patterns or values (col. 16 lines 31-41).

13. Regarding claim 12, Albert further discloses the content based switch comprises a content based switch to switch the message to a selected processing node or server if business

Art Unit: 2143

transaction information in the message matches a predetermined pattern or value (col. 16 lines 31-41).

14. Regarding claims 13-16, Albert further discloses the one or more fields that match the configuration of the device comprise an address, a destination address (IP), destination port number (Figure 6; and col. 16 lines 6-21).

15. Regarding claim 17, Albert further discloses the one or more fields that match the configuration of the device comprise a destination IP address and destination port number on which the devices are accepting connection requests (Figure 6; and col. 16-21).

16. Regarding claim 18, Albert further discloses a first device having a first configuration (eg. forwarding agent 231); a second device (eg. server) coupled to the first device, the second device having a second configuration (Figure 4); the first device to receive a message via one or more received packets and to process the message only if the received packets have one or more fields that match the configuration of the first device, the first device to forward the received packets to the second device with the one or more fields and the message that are unchanged if the one or more fields of the received packets do not match the first configuration (Figure 13; and col. 15 lines 44-47; col. 29 lines 56 through col. 30 lines 11).

17. Regarding claim 19, Albert further discloses the first device to forward the processed message to the second device via one or more packets having one or more fields that match the second configuration (Figure 6; and col. 16-21).

18. Regarding claim 20, Albert further discloses each of the first and second devices one or more of a validator, a transformer and a switch (col. 15 lines 44-47).

Art Unit: 2143

19. Regarding claim 23, Albert further discloses generating a response message; receiving the response message at the device via one or more packets; processing the response message if the one or more packets of the response message match the configuration of the device (col. 11 lines 20-61).

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Albert in view of Jamtgaard et al (Hereafter Jamtgaard) U.S. Patent 6,430,624.

Albert discloses a system for processing and validating the message only if the received packets have one or more fields that match the configuration of the devices, and forward the message if the packets do not match the configuration of the devices; however, Albert fails to teach a transformer to transform the message from a first format to a second format.

Jamtgaard discloses a transformer to transform the message from a first format to a second format (eg. The content connection handler 40 retrieve the client request information and transform the message or document from the first format to the second format) (Figure 4).

It would have been obvious to one of the ordinary skill in the art at the time of the invention was made to incorporate Jamtgaard's teaching into Albert's system to transform the message from a first format to a second format to organize the content information may be

Art Unit: 2143

mapped into a hierarchy of groups so that the content information can be optimally formatted for display on the devices according to the input/output formation, such as the display screen size parameters of the devices.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ganesh et al. U.S. Patent 6,553,000

Albert et al. U.S. Patent 6,735,169

Albert et al. U.S. Patent 6,742,045

Brandt et al. U.S. Patent 6,144,990

Meltzer et al. U.S. Patent 6,226,675

Marmor U.S. Patent 6,601,108

Chung et al. U.S. Patent 6,470,389

Barber U.S. Patent 6,502,193

Bahlmann U.S. Patent 6,195,689

Ma et al. U.S. Patent 6,192,406

Takahashi et al. U.S. Patent 6,442,589

Yalcinalp U.S. Patent 6,507,857

Scholl et al. U.S. Patent 5,742,762

Grandcolas et al. U.S. Patent 5,867,153

Hemphill et al. U.S. Patent 6,167,448

Art Unit: 2143

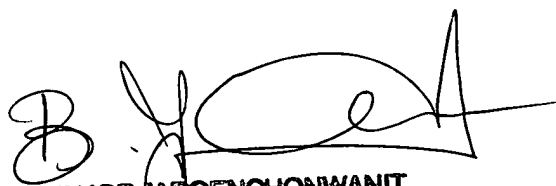
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919. The examiner can normally be reached on Mon -Thu (7AM-4: 30PM) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H. Nguyen
Examiner
Art Unit 2143

February 22, 2005


BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER